

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KEVIN D. DIXON,)
Plaintiff,)
v.) Civil Action No. 07-26-SLR
THOMAS L. CARROLL, et al.,)
Defendants.)

ORDER

WHEREAS, plaintiff filed a civil rights action pursuant to 42 U.S.C. § 1983 without prepayment of the filing fee;

WHEREAS, on February 8, 2007, the court entered an order that plaintiff pay the \$350 filing fee within thirty (30) days from the date the order was sent or the case would be dismissed because plaintiff has three prior suits dismissed as frivolous or for failure to state a claim upon which relief may be granted, and the instant complaint does not allege an imminent threat of physical injury (D.I. 5);

WHEREAS, to date, payment has not been received from plaintiff;

THEREFORE, at Wilmington this 28th day of March, 2007, IT IS HEREBY ORDERED that plaintiff's complaint is DISMISSED WITHOUT PREJUDICE for failure to pay the filing fee as ordered by the Court.



UNITED STATES DISTRICT JUDGE